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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,781	12/11/2003	Yong Araz Guo	O2Micro 03.20	8185

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EXAMINER	
BROWN, MICHAEL J	
ART UNIT	PAPER NUMBER
2116	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/733,781	GUO ET AL.	
	Examiner	Art Unit	
	Michael J. Brown	2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 May 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/22/2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application. Since this application is eligible for continued examination under 37 CFR 1.114, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/27/2008 has been entered.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 1/22/2008 was filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Du et al.[Du](US PGPub 2004/0006690) in view of Schug(US PGPub 2002/0091863).

As to claim 1, Du discloses an apparatus comprising a machine-readable medium(BIOS; see paragraph 0112, line 12) having stored thereon instructions that when executed by a machine(CPU 26, see Fig. 3) result in said machine performing operations comprising selecting a mode between a normal mode(normal PC operation mode; see paragraph 0112, lines 15-16) and an entertainment mode(entertainment mode; see paragraph 0112, line 4) for a computer system(PC; see paragraph 0112, line 9)(see Fig. 8, Item 804; also see paragraph 0112, lines 9-14), enabling a driver(hardware or software which loads mini-OS; see paragraph 0111, lines 16-22) if said entertainment mode is selected(see paragraph 0111, lines 20-22), enabling an OS(miniOS 80, see Fig. 3) to boot using predefined entertainment mode account data if the entertainment mode is selected(see Fig. 8, Items 812-832; also see paragraphs 0113-0116), and disabling said driver if said normal mode is selected(see paragraph 0111, lines 18-20; primary operating system is loaded instead of the mini-OS thus disabling the selection process of the entertainment mode). However, Du fails to specifically disclose enabling the driver to pass predefined entertainment mode user account data stored on said computer system to an operating system(OS) of said computer system and to execute at least one API function of said OS.

Schug teaches enabling a driver(INCA NIU Driver 200, see Fig. 2) to pass existing OS functionality stored on a computer system(computer, see Fig. 2) to an operating system(OS)(OS 220, see Fig. 2) of said computer system(see paragraph

0081, lines 4-6 and 13-16) and to execute at least one API function(INCA API call; see paragraph 0153, line 3) of said OS(see paragraph 0081, lines 4-6 and 16-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Schug's INCA NIU Driver 200 to Du's BIOS in order to transfer network communicated data from the NIU to the OS physical memory(see Schug Abstract, lines 6-8). The motivation to do so would have been to make the transfer with only one physical copying and uses the existing OS's functionality to map the data to the application address space(see Schug Abstract, lines 8-10).

As to claim 2, Du discloses the apparatus wherein said instructions further perform operations comprising, and enabling said OS to perform a boot process(see Fig. 8, Item 806).

As to claim 3, Du discloses the apparatus wherein said instructions further perform operations comprising executing an entertainment mode application program to permit data associated with said entertainment mode application program to be accessed(see paragraph 0111, lines 14-18).

As to claim 4, Du discloses the apparatus wherein said instructions further perform operations comprising enabling said entertainment mode application program to control access to selected hardware components of said computer system(see Fig. 8, Items 808 and 810).

As to claim 5, Du discloses the apparatus wherein said instructions further perform operations comprising enabling said entertainment mode application program

to control access to selected software components of said computer system(see Fig. 8, Items 808 and 810).

As to claim 6, Du discloses the apparatus wherein said entertainment mode application program comprises a video application program executing instructions to permit video data to be accessed on said computer system(see paragraph 0111, lines 14-18).

As to claim 7, Du discloses the apparatus wherein said entertainment mode application program comprises an audio application program executing instructions to permit audio data to be accessed on said computer system(see paragraph 0111, lines 14-18).

As to claim 8, Du discloses the apparatus wherein said entertainment mode application program comprises a digital photograph application program executing instructions to permit digital photograph data to be accessed on said computer system(see paragraph 0111, lines 14-18).

As to claim 9, Du discloses a method comprising enabling an installation program to store entertainment mode user account data on a computer(PC; see paragraph 0112, line 9)(see Fig. 8, Item 804), selecting a mode between a normal mode(normal PC operation mode; see paragraph 0112, lines 15-16) and an entertainment mode(entertainment mode; see paragraph 0112, line 4) for said computer(see paragraph 0112, lines 9-14), enabling a driver(hardware or software which loads mini-OS; see paragraph 0111, lines 16-22) if said entertainment mode is selected(see paragraph 0111, lines 20-22), and disabling said driver if said normal mode is

selected(see paragraph 0111, lines 18-20; primary operating system is loaded instead of the mini-OS thus disabling the selection process of the entertainment mode). However Du fails to specifically disclose enabling a driver to load said entertainment mode user account data stored on said computer into a logon application of an operating system and to execute at least one API function of the operating system.

Schug teaches enabling a driver(INCA NIU Driver 200, see Fig. 2) to load functionality stored on a computer(computer, see Fig. 2) into a logon application of an operating system(OS 220, see Fig. 2)(see paragraph 0081, lines 4-6 and 13-16) and execute at least one API function(INCA API call; see paragraph 0153, line 3) of said operating system(see paragraph 0081, lines 4-6 and 16-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Schug's INCA NIU Driver 200 to Du's BIOS in order to transfer network communicated data from the NIU to the OS physical memory(see Schug Abstract, lines 6-8). The motivation to do so would have been to make the transfer with only one physical copying and uses the existing OS's functionality to map the data to the application address space(see Schug Abstract, lines 8-10).

As to claim 10, Du discloses the method further comprising enabling an entertainment mode application program to be executed on said computer, after said operating system completes a boot up process in said entertainment mode(see Fig. 8, Items 812-818).

As to claim 11, Du discloses a system comprising a computer system(PC; see paragraph 0112, line 9) that comprises an entertainment mode power

switch(entertainment mode switch; see paragraph 0112, line 13), and a machine-readable medium(BIOS; see paragraph 0112, line 12) having stored thereon instructions that when executed by a machine(CPU 26, see Fig. 3) result in said machine performing operations comprising enabling entertainment mode user account data to be stored on said computer system (see Fig. 8, Item 804), enabling a driver(hardware or software which loads mini-OS; see paragraph 0111, lines 16-22) to power said computer system(see Fig. 8, Items 812-832; also see paragraph 0111, lines 20-22), and disabling said driver if normal power button is activated to power the computer system(see paragraph 0111, lines 18-20; primary operating system is loaded instead of the mini-OS thus disabling the selection process of the entertainment mode). However, Du fails to specifically disclose enabling a driver to pass said entertainment mode user account data stored on said computer system to a logon process of an operating system associated with said computer system and execute at least one API function of the operating system.

Schug teaches enabling a driver(INCA NIU Driver 200, see Fig. 2) to pass existing OS functionality stored on a computer system(computer, see Fig. 2) to a logon process of an operating system(OS 220, see Fig. 2) of said computer system(see paragraph 0081, lines 4-6 and 13-16) and to execute at least one API function(INCA API call; see paragraph 0153, line 3) of said operating system(see paragraph 0081, lines 4-6 and 16-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to add Schug's INCA NIU Driver 200 to Du's BIOS in order to transfer network communicated data from the NIU to the OS physical memory(see

Schug Abstract, lines 6-8). The motivation to do so would have been to make the transfer with only one physical copying and uses the existing OS's functionality to map the data to the application address space(see Schug Abstract, lines 8-10).

As to claim 12, Du discloses the system wherein said user account data being automatically passed to said operating system logon process(see paragraph 0113, lines 9-17).

As to claim 13, Du discloses the system wherein said instructions further perform operations comprising enabling an entertainment mode application program to execute after said operating system logon process, and wherein said entertainment mode application program adapted to permit video associated with said computer system to be accessed(see paragraph 0111, lines 14-18).

As to claim 14, Du discloses the system wherein said instructions further perform operations comprising enabling said entertainment mode application program to control access to selected hardware components of said computer(see Fig. 8, Items 808 and 810).

As to claim 15, Du discloses the system wherein said instructions further perform operations comprising enabling said entertainment mode application program to control access to selected software components of said computer(see Fig. 8, Items 808 and 810).

As to claim 16, Du discloses the system wherein said instructions further perform operations comprising enabling an installation program to create said entertainment mode user account data on said computer system(see paragraph 0111, lines 14-18),

enabling an operating system function to create at least one of a username and password and associating at least one of said username and password with said entertainment mode user account data(see paragraph 0122), and enabling a driver to load said user account data into an operating system logon application(see paragraph 0122).

As to claim 17, Du discloses enable said operating system to perform a normal boot process if said normal mode is selected(see paragraph 0111, lines 16-22).

As to claim 18, Du discloses the method further comprising enabling an installation program to create said entertainment mode user account data on said computer(see paragraph 0111, lines 16-22).

As to claim 19, Du discloses the method further comprising enabling an operating system function to create at least one of a username and password, and associating at least one of the username and password with said entertainment mode user account data(see paragraph 0122).

As to claim 20, Du discloses the method further comprising enabling entertainment mode application program to control access to selected hardware components of said computer(see Fig. 8, Items 808 and 810).

Response to Arguments

4. Applicant's arguments filed 5/27/2008 have been fully considered but they are not persuasive. Applicant argues that Du et al. and Schug do not teach or suggest "enabling a driver to pass predefined entertainment mode user account data stored on

said computer to an operating system (OS) of said computer system and to execute at least one API function of said OS if said entertainment mode is selected; and disabling said driver if normal mode is selected". Examiner disagrees as Du discloses a selection between an entertainment mode and a normal operation mode. Though not specifically mentioning “a driver” Du speaks of hardware or software which load a mini-OS if the entertainment mode is selected. If the normal operation mode is selected then a primary operating system is loaded instead of the mini-OS thus disabling the hardware or software which loads the mini-OS when the entertainment mode is selected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Brown whose telephone number is (571)272-5932. The examiner can normally be reached Monday-Thursday from 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Rehana Perveen can be reached on (571)272-3676. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael J. Brown
Art Unit 2116

/Thuan N. Du/
Primary Examiner, Art Unit 2116